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May 9, 2023

Via ECF

The Honorable P. Kevin Castel, U.S.D.J.
United States District Court, S.D.N.Y.
500 Pearl Street
New York, NY 10007

Re: *Esther Wilder v. Sarah Hoiland*, Case No. 1:22-cv-01254-PKC

Dear Judge Castel:

As counsel to Plaintiff Esther Wilder, we submit this letter motion to file under seal in their entirety two documents submitted as Exhibits 23 and 24 to the Supplemental Declaration of Janet B. Linn, filed today in further support of Plaintiff's Motion for Summary Judgment and in opposition to Defendant's Motion for Summary Judgment. These exhibits relate to the confidential CUNY proceedings discussed in Plaintiff's earlier letter motion to seal documents relating to those proceedings (Exhibits 2, 4, 5 and 6 to the Declaration of Guy Cohen; ECF Nos. 54, 55, 56, & 57) (ECF 50), and in Plaintiff's letter to the Court responding to Defendant's opposition to the motion to seal (ECF 65). The Court granted Plaintiff's motion to seal in an Order dated April 27, 2023 (ECF 60).

The additional documents that Plaintiff seeks to file under seal are communications concerning the same confidential internal process at CUNY with respect to complaints made under CUNY Research Misconduct Policy outlined in Plaintiff's prior motion, a copy of which is attached as Exhibit A to Declaration of Esther Wilder (ECF No. 62). As discussed in Plaintiff's prior motion to seal (ECF 50) and in her response to Defendant's opposition to the motion (ECF 65), these proceedings are required to be kept strictly confidential to protect the privacy interests of the Complainant, Respondent and witnesses involved in the process. The documents that Plaintiff now seeks to seal concern communications regarding the determination of the Inquiry initiated by her complaint to CUNY of research misconduct under that confidential process.

Plaintiff is also filing today redacted versions of Plaintiff's Reply Memorandum of Law in Support of Plaintiff's Motion for Summary Judgment, Plaintiff's response to Defendant's 56.1 Statement, and the Supplemental Declaration of Professor Esther Wilder. Plaintiff has redacted limited sections of these documents referring to the confidential processes under the CUNY Research Misconduct Policy. Plaintiff is simultaneously filing the unredacted versions of these documents under seal.

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Plaintiff therefore respectfully requests that the Court grant Plaintiff's motion to seal Exhibits 23 and 24 to the Supplemental Declaration of Janet B. Linn in their entirety, and to the limited redaction of Plaintiff's Reply Memorandum of Law, Plaintiff's response to Defendant's Rule 56.1 Statement, and the Supplemental Declaration of Professor Esther Wilder.

Respectfully submitted,

/s/ Janet B. Linn

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cc: All Counsel of Record via ECF